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AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR ARRESTCLERK, US DISTRICT COURT
NORFOLK, VA

I, Mark J. Gripka, being duly sworn, hereby depose and state that:

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1. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code (U.S.C.), Section 2510(7), and am empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 18, U.S.C., Section 2516.

2. I am currently assigned to the Violent Crime squad in the Norfolk FBI field office. I have served in this capacity since December of 2013. I have been a Special Agent with the FBI since September of 2004. Over the course of the past ten years, I have been the principal investigator in federal investigations involving public corruption, kidnappings, child pornography, narcotics trafficking and violent gang/criminal enterprise organizations. The violent gang/criminal enterprise investigations have focused in part on drug trafficking involving the unlawful transportation and distribution of controlled substances, and in part on violent acts that are used by gang members to intimidate or to facilitate and control schemes whereby the gang obtains money and territory. Through experience and training, I have become familiar with the methods and schemes employed by gang members and other narcotics dealers to obtain and distribute controlled substances. I am also familiar with, and have utilized, a wide variety of investigative techniques, including but not limited to the development of cooperating sources, source debriefings, physical surveillance, trash covers, controlled purchases, telephone toll record analyses, pen registers, grand jury subpoenas, search warrants and electronic surveillance. As a result of my training and experience as a Special Agent for the FBI, I am familiar with Federal laws and statutes.

3. This Affidavit will show probable cause to believe that on or about August 25, 2014, in Portsmouth, Virginia, within the Eastern District of Virginia, VINOL EALEY, a/k/a "JUG", a/k/a

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“JUGHEAD”, possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). The Affidavit will also show probable cause to believe that EALEY, a previously convicted felon, possessed ammunition in violation of 18 U.S.C. § 922(g)(1).

4. The facts and information contained in this Affidavit are based on my personal knowledge and observations, information conveyed to me by other law enforcement officials and witnesses, and my review of records, debriefing reports, photos, documents, and/or other physical evidence obtained during the investigation of this case. All observations referenced below that were not personally made by me were related to me by the persons who made such observations. I have not included in this Affidavit every fact revealed by this investigation, but only those facts necessary to establish probable cause.

5. On August 23, 2014, Portsmouth Police Department (PPD) officers responded to reports of multiple gun shots fired in the area of Dinwiddie and King Streets, near Paddy O'Brian's bar in Portsmouth, Virginia. As police responded to the location of the reported gunfire, multiple armed shooters were observed running from the scene. One of the PPD officers identified EALEY as running with what appeared to be a large semi-automatic handgun in his left hand. The pursuing PPD officers eventually lost sight of EALEY and were not able to apprehend him that night. Shortly afterwards, an arrest warrant was issued for EALEY on the charge of being a felon in possession of a firearm. PPD officers recovered 27 spent rounds from the parking lot where the shooting incident occurred.

6. On August 25, 2014, PPD officers observed EALEY leaving a residence located at 2116 Parker Avenue, Portsmouth, Virginia 23704. EALEY entered a black Buick rental car and drove away from the residence. The PPD then executed a traffic stop on the rental car driven by EALEY and arrested him. During his arrest, PPD officers searched EALEY and found a plastic baggie containing approximately 3.5 grams of heroin in his jeans pocket. During an inventory of

the rental vehicle following EALEY's arrest, a box of .45 caliber ammunition containing 39 cartridges was located in the glove compartment. Officers also found \$1003.00 in United States currency on EALEY's person and in the vehicle.

7. Following the arrest of EALEY, the PPD obtained a search warrant for the residence EALEY was observed leaving just prior to his arrest, located at 2116 Parker Avenue, Portsmouth, Virginia. PPD detectives had previously learned from cooperating sources that EALEY was known to use the 2116 Parker Avenue residence. While searching the kitchen area of the residence, PPD officers recovered the following items: one (1) box (50 cartridges) of American Eagle 5.7x28mm ammunition; one (1) box (50 cartridges) of FNH 5.7x28mm ammunition; and one (1) box of American Eagle 5.7x28mm ammunition containing eight (8) cartridges. Both a grinder and a digital scale, two items known to be used by drug traffickers to weigh and distribute narcotics, were also recovered in the kitchen. Two plastic bags of heroin were recovered from a cabinet in the kitchen and an upstairs bedroom closet. In total, approximately one ounce of heroin was recovered from the residence. The heroin recovered during the arrest of EALEY and the search of the residence was sent to the state forensic laboratory for further analysis. The sample tested positive for heroin. PPD officers also obtained a water bill listing EALEY as the customer for the 2116 Parker Avenue residence.


8. Based on the evidence recovered during the arrest of EALEY and the search conducted at EALEY's suspected residence, state charges related to narcotics possession and distribution were filed against EALEY. I am informed that the jury in EALEY's first state court trial was not able to reach a verdict, and I am informed that a second trial resulted in a mistrial.

9. In addition to EALEY'S state case, the FBI has interviewed several cooperating witnesses (CWs) whose information has been deemed reliable. From March to August 2014, these

CWs observed EALEY possessing and distributing large quantities of heroin and cocaine. During one such transaction observed by one of the CWs, the CW observed EALEY providing cocaine and an assault rifle to one of his associates.

10. A records check of EALEY'S criminal history revealed that he has a prior felony conviction in 2008 for Robbery and Use or Display of a Firearm in Commission of a Felony. EALEY was convicted of a Probation Violation for a Felony Offense in 2012.

11. Based on the foregoing facts, training, and experience, your affiant believes there is probable cause to charge VINOL EALEY with possession with intent to distribute a mixture and substance containing heroin, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and with being a felon in possession of ammunition, in violation of 18 U.S.C. § 922(g)(1).



Mark J. Gripka
Special Agent, FBI

Subscribed and sworn to before me, this 2nd day of December, 2016.



UNITED STATES MAGISTRATE JUDGE
Norfolk, Virginia